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PATENT
Customer No. 32127
Attorney Docket No. 99-470

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Richard Mark SCHWARTZ et al.) Group Art Unit: 2654
)
Application No.: 09/655,325) Examiner: Vijay Chawan
)
Filed: September 5, 2000)
)
For: SYSTEMS AND METHODS FOR)
USING ONE-DIMENSIONAL)
GAUSSIAN DISTRIBUTIONS TO)
MODEL SPEECH)

28

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

PETITION TO EXPUNGE THE SUBMISSION OF A NOTICE OF APPEAL
UNDER 37 C.F.R. § 1.59

Pursuant to 37 C.F.R. § 1.59, Applicants respectfully petition to expunge the Notice of Appeal filed September 15, 2004, from the U.S. Patent and Trademark Office (USPTO) records for this application.

Facts:

In response to a first non-final Office Action mailed March 22, 2004, Applicants filed an Amendment on September 15, 2004 with a petition for a three-month extension of time. Concurrent with the Amendment, Applicants inadvertently filed a Notice of

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Attorney Docket No. 99-470
Appln. No.: 09/655,325

Appeal. As a result, the USPTO has docketed this application for an Appeal, thus requiring Applicants to file an Appeal Brief.¹

Because Applicants have only received a non-final Office Action, and did not intend to file a Notice of Appeal, Applicants request that the Notice of Appeal filed September 15, 2004 be expunged from the USPTO records and that this Application be docketed for a response to the Office Action mailed March 22, 2004, which was met by the Amendment and Petition for Three-Month Extension of Time filed September 15, 2004.

Accompanying this Petition is the required fee of \$130.00 under 37 C.F.R. § 1.17(h). If any additional fees are due in connection with the submission of these documents, including any fees required for an extension of time under 37 C.F.R. § 1.136, the Commissioner is authorized to charge any such fees to our Deposit Account No. 07-2347.

Respectfully submitted,

VERIZON CORPORATE SERVICES
GROUP INC.

Dated: January 6, 2006

By: 

Joel Wall
Reg. No. 25,648

¹ Applicants' representative spoke with Examiner Vijay Chawan on March 8, 2004. The Examiner indicated that the USPTO Application tracking system indicates an Appeal Brief was due by November 15, 2004.

JAN 06 2006

**Intellectual Property Law Group****Verizon Corporate Services Group Inc**

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MAIL STOP: PETITION Specialist – Intellectual Property
Examiner: Vijay CHAWAN
Group Art Unit: 2654

Fax: 571-273-8300 Pages
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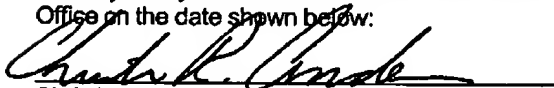
FORMAL SUBMISSION OF:

- 1) Petition to Expunge the
Submission of a Notice of
Appeal Under 37 C.F.R. §
1.159.

Title: SYSTEMS AND METHODS FOR USING ONE-DIMENSIONAL GAUSSIAN
DISTRIBUTIONS TO MODEL SPEECH
Serial No. 09/655,325
Filing Date: September 5, 2000
First Named Inventor: Richard Mark SCHWARTZ
Atty. No. 97-470
Customer Number: 32127

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the above-referenced documents are facsimile transmitted to the Patent and Trademark
Office on the date shown below:


Christian R. Andersen

Date of Transmission: January 6, 2006

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